TOWN OF SEWALL'S POINT

JOHN TOMPECK
Mayor

DAVID KURZMAN
Vice Mayor

JAMES W. CAMPO, CFP
Commissioner

FRANK FENDER
Commissioner

KAIJA MAYFIELD
Commissioner

ROBERT DANIELS
Town Manager

APRIL STONCIUS,CMC
Town Clerk

TINA CIECHANOWSKI
Chief of Police

JACK REISINGER, CBO
Building Official

HOLLY VATH, CGFO
Finance Director

Town Commission Regular Meeting
September 13, 2022
5:30 PM

I. CALL TO ORDER

II. PROCLAMATIONS AND PRESENTATIONS

IIa.. Treasure Coast Food Bank Proclamation

2022 Proclamation Hunger Action Month.pdf

IIb.. Keep Martin Beautiful International Coastal Cleanup Day Proclamation

2022 Proclamation Cleanup.pdf

III. PUBLIC COMMENT ON NON-AGENDA ITEMS- PLEASE SUBMIT A COMMENT CARD TO THE TOWN CLERK PRIOR TO THE START OF THE MEETING AND LIMIT YOUR COMMENTS TO THREE MINUTES. If the thirty (30) minute time period has been exhausted, the Commission will entertain any remaining comments near the end of the meeting with the same three (3) minute per person time limitation.

IIIa.. TOSP Guidelines

TSP-Public Comment Guidelines.pdf

IV. ADDITIONS, DELETIONS OR CHANGES TO THE AGENDA

V. APPROVAL OF AGENDA

VI. CONSENT AGENDA

a. Copier Lease – State of Florida Contract

1) Memo Copiers.pdf
2) KONICA MINOLTA LETTER OF INTENT BHC550I & BH450I TOWN OF SEWALLS POINT 9.2022.pdf
3) KONICA MINOLTA PROPOSAL BHC450i, BHC360I TOWN OF SEWALLS POINT 8.2022.pdf

Minutes – July 26, 2022, Regular Meeting

1) 07 26 22 Regular Minutes.pdf

VII. PUBLIC HEARING - ORDINANCE - SECOND READING

VIII. PUBLIC HEARING - ORDINANCE - FIRST READING

a.

Ordinance No. 443 - Rezone 7 Heritage Way Lot

1) 7 Heritage Way.pdf
1) Ordinance No. 443 Re-Zoning. 7 Heritage Way.Revised.pdf

b.

Ordinance No. 444 - Amending Chapter 62, Marine Activities, Facilities, and Structures

1) Commission Agenda Boat Lift Covers.pdf
2) Ordinance No. 444- Boat lift covers revised 09.06.22.pdf

IX. RESOLUTIONS

X. OLD BUSINESS

XI. NEW BUSINESS

XII. DISCUSSION

a. **Town Manager Performance Measures**

Town Manager Performance Goals V2.pdf

b.

Land Acquisition - South Sewall's Point Road – Phase 3 Improvements

Land Aquisition.pdf

XIII. COMMISSION AND STAFF CLOSING COMMENTS

XIV. ADJOURN

CIVILITY CLAUSE: It is the policy of the Sewall's Point Town Commission that all persons addressing a town board or attending a Town board meeting shall conduct themselves in a manner that does not disrupt the orderly and efficient conduct of the meeting. Boisterous or unruly behavior; threatening or inciting an immediate breach of the peace; or use of profane, slanderous or obscene speech will not be tolerated and could result in ejection from the meeting after warning from the presiding officer. In accordance with the provisions of the Americans with Disabilities Act (ADA) this document may be requested in an alternate format. Persons in need of a special accommodation to participate in this proceeding shall, within 3 working days prior to any proceeding, contact the Town Clerk's office, One South Sewall's Point Road, Sewall's Point, Florida 34996 (772)287-2455. If any person decides to appeal any decision made by the Town Commission with regard to any matter considered at such meeting or hearing, s/he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Before the Mayor of the Town of Sewall's Point

Martin County, Florida

A Proclamation

Declaring September 2022 Hunger Action Month in Sewall's Point, FL

Whereas, hunger and poverty remain issues of grave concern in the United States, the State of Florida, the Treasure Coast and in Sewall's Point, with 52,460 children and adults in Martin County now categorized as food insecure; and

Whereas, Sewall's Point is committed to taking steps to raise awareness about the need to combat hunger in every part of our county and to provide additional resources that citizens of Sewall's Point need; and

Whereas, Sewall's Point is committed to working with Treasure Coast Food Bank in educating people about the role and importance of food banks and other hunger relief organizations in addressing hunger, and bringing attention to the need to devote more resources and attention to hunger issues; and

Whereas, food banks and hunger relief organizations across the country, including Treasure Coast Food Bank, will coordinate numerous events throughout the entire month of September to shed light on this important issue and encourage involvement in efforts to end hunger in their local community.

Now, therefore, be it proclaimed by the Sewall's Point Town Commissioners that September 2022 is Hunger Action Month in Sewall's Point and calls this observance to the attention of our citizens.

Dated this 13th day of September, 2022.

_____

John Tompeck
MAYOR

Before the Mayor of the Town of Sewall's Point

Martin County, Florida

A Proclamation

Declaring Keep Martin Beautiful International Coastal Cleanup Day in Sewall's Point, Florida

Whereas, hundreds of thousands of dedicated volunteers with the International Coastal Cleanup pick up millions of pounds of trash from the shores of the world's lakes, rivers, streams, and ocean on the third Saturday in September each year; and

Whereas, the International Coastal Cleanup is the largest volunteer event of its kind on behalf of ocean health; and

Whereas, trash in the ocean and waterways is one of the most serious pollution problems of our time, yet is entirely preventable; and

Whereas, the information about the types and sources of that litter, recorded by the volunteers, helps inform decision-making at the local, national, and international levels; and

Whereas, the citizens of Martin County are joining people around the world in starting a worldwide sea change by pitching in to pick up marine litter on Saturday, September 17, 2022 and working all year long to prevent it from reaching the water in the first place.

Now, therefore, I, JOHN TOMPECK Mayor of the Town of Sewall's Point, proclaim that Saturday, September 17, 2022 is Keep Martin Beautiful's International Coastal Cleanup Day in the Town of Sewall's Point. Further, the Town Commission commends the staff and volunteers of Keep Martin Beautiful who take on the challenge of removing litter and marine debris, beautifying and revitalizing communities and neighborhoods, thereby making a positive difference in Martin County's quality of life.

_____

JOHN TOMPECK, MAYOR

Guidelines for Public Comments

- Everyone will have 3 minutes
- When recognized step forward to the podium and state your name for the record
- All remarks should be addressed to the Commission as a body
- The public comment period is for receipt of public comments, not debate. It is not intended as a time for problem solving but rather for hearing the citizens for their input
- Any person addressing the Commission who disrupts the orderly and efficient conduct of the meeting, uses profane or obscene language may be removed from the meeting

JOHN TOMPECK
Mayor

DAVID KURZMAN
Vice Mayor

JAMES W. CAMPO, CFP
Commissioner

FRANK FENDER
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KAIJA MAYFIELD
Commissioner

TOWN OF SEWALL'S POINT

ROBERT DANIELS
Town Manager

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Chief of Police

JACK REISINGER, CBO
Building Official

HOLLY VATH, CGFO
Finance Director

TO: Mayor and Commissioners

FROM: Robert Daniels; Town Manager

SUBJECT: Copier Contract

DATE: Regular Commission Meeting - Consent Agenda – September 13, 2022

EXECUTIVE SUMMARY:

Currently, the two copiers in Town Hall, one in the Police Department and one in the Town Clerk's area, are not under a maintenance agreement and are no longer serviceable should they need repair. The State of Florida Contract, #140597-44000000-NASPO-19-ACS covers the purchase/lease of copiers and the Town seeks to lease two copiers for sixty (60) months for $226.89 per month at a total annual amount of $2,722.68. The proposed 2023 budget does include funds for a copier lease agreement.

RECOMMENDATION:

The Town staff recommends approval of leasing two copiers at a price of $226.89 per month at a total annual amount of $ 2,722.68.

Town of Sewall's Point, FL
1 S. Sewall’s Point Road, Sewall’s Point, FL 34996
(772) 287-2455 |

September 9, 2022 Letter of Intent Page 1

Konica Minolta Business Solutions U.S.A, Inc.
C/O KMBS Boca Raton Branch
100 Williams Drive
Ramsey, NJ 07446
Attn: Rebecca Tippy
Phone: 561-568-8381

"This Letter is issued in lieu of a PO to fully commit funds to lease equipment pursuant to State of Florida Contract # 140597-44000000-NASPO-19-ACS

Equipment being leased under this “letter of intent” includes:

BHC550I REPLACING BHC224 SERIAL NUMBER A5C4011007547	$113.24		
DF-714 SCAN AUTO DOCUMENT FEEDER	INC.		
PC-116-ADDITIONAL PAPER DRAWER	$5.34		
LU-302 LARGE CAPACITY UNIT (SIDE)	$10.46		
RU-513 RELAY UNIT	1.34		
FS-539-FLOOR FINISHER STAPLER SIX POSITIONS & CONVENIENCE STAPLER	$9.37		
PK-524-2/3 HOLE PUNCH KIT	$3.33		
FK-514 FAX KIT (SEND AND RECEIVE FROM DESKTOP RECEIVE TO EMAIL)	$6.24		
ADDIITONAL MEMORY (8GB TOTAL)	INC.		
TOTAL	**$149.32**	**$0.00495**	**$0.04027**
BH450I REPLACING BH368 SERIAL NUMBER A9HJ011010150	$56.36		
DF-714 SCAN AUTO DOCUMENT FEEDER	INC.		
DK-516 COPY DESK	$1.35		
FS-533-INNER FINISHER WITH 50 SHEET STAPLING UPPER LEFT CORNER	$9.90		
MK-607 FAN KIT FOR FS-533	$0.39		
PK-519 PUNCH KIT FOR FS-533	$3.33		
FK-514 FAX KIT (SEND AND RECEIVE FROM DESKTOP RECEIVE TO EMAIL)	$6.24		
ADDIITONAL MEMORY (8GB TOTAL)	INC.		
TOTAL	**$77.57**	**$0.00460**	

Remit to Address for Payment:
Konica Minolta Business Solutions, USA, Inc.
Dept. 2366
PO Box 122366
Dallas, TX 75312-2366

Equipment Locations:
Town of Sewall's
1 South Sewall's Point Road
Sewall's Point, Fl 34996

Delivery Contact:
Maria Pierce
Interim Accountant
Town of Sewall's Point
One S. Sewall's Point Road
Sewall's Point, FL 34996
(772) 287-2455 x22

Invoice to:
Maria Pierce
Interim Accountant
Town of Sewall's Point
One S. Sewall's Point Road
Sewall's Point, FL 34996
(772) 287-2455 x22

line item for GAP Service for future upgrade:

*****Covers maintenance after lease expiration until new copier is installed**

CARRY OVER SERVICE	**Model : BHC224SN: SERIAL NUMBER A5C4011007547** **Black and White Cost Per Copy: $0.00495** **Color Cost Per Copy: $.04027** ***Billed Monthly**	Billed Monthly

line item for GAP Service for future upgrade:

*****Covers maintenance after lease expiration until new copier is installed**

CARRY OVER SERVICE	**Model : BH368 SERIAL NUMBER A9HJ011010150** **Black and White Cost Per Copy: $0.0046** ***Billed Monthly**	Billed Monthly

Authorized Signature:_____

Name:_____

Title:_____

Date:_____

A Proposal For

Town of Sewall's Point

State of Florida Contract-Copiers and Managed Print Services
Contract Number: 140597-44000000-NASPO-19-ACS

Presented to:

Maria Pierce & Holly Vath

Town of Sewall's Point, FL| 1 S. Sewall's Point Road, Sewall's Point, FL 34996 | (772) 287-2455 X 14 | Facsimile: (772) 220-4765.www.flofr.com

Replacing BHC224 Serial Number A5C4011007547 & BH368 Serial Number A9HJ011010150

August 9, 2022

Prepared by:
Rebecca Tippy
Major Account Executive Government & Education
Office: 561-237-4563

E-mail: rtippy@kmbs.konicaminolta.us

Dear Maria and Holly,

Thank you for allowing me to present a Konica Minolta solution and to continue to service Florida Department of Financial Services'. At Konica Minolta Business Solutions, we take pride in our unique consulting process that allows our team of experts to collaborate with your business leaders to identify critical business processes.

Based on our expertise, can recommend innovative solutions leading to measurable and sustainable results for years ahead.

Our assessment process typically includes:

- Identifying business drivers
- Aligning technologies with your end user requirements and key corporate objectives
- Conducting follow-up business reviews to drive continual process improvement
- Meeting with key stakeholders

We can identify areas in which you can harness new office technology to increase productivity while reducing costs and we are pleased to present the following proposal.

As per your request, please see attached the purchase and 60-month lease pricing option for the new BHC550i which is 55 in full color and black and white. And the BH450i which is 45 PPM in black and white. The I series boosts either a 300-sheet single pass dual document feeder that scans in full color 280 images per minute on both the BHC550i and 450i, swipe screen technology with pinch and zoom, drag and image rotate as well as greater processing speeds and energy efficiency. The new i series options also have 10-inch full color screen 24 degrees to 90 degrees tilt screen, 8 GB Memory and web browser standard. They also come standard with the PS, PCL and XPS Controller and a quad core processor and solid state 250 GB. HDs and quad core processors. The new I Series also boosts a faster first copy out time and more mobile printing options. All this making your work environment more productive and efficient.

Please take some time to review and let me know if you have any further questions.

We look forward to a long-term partnership with you and your team.

Thank you for your consideration,

Rebecca Tippy
Major Account Executive
561-568-838

Why choose Konica Minolta

· Streamline Business Processes:

Electronic Content Management -frees you from the burden of too much paper, lets you access your information from any of your software applications and makes your processes flow at the speed of light.

Mobile Device Management Solutions - Allow you to securely access your information, anytime from any device

Smart Scanning - We offer three levels of advanced scanning that will allow you to easily integrate from your MFP into critical document management processes and convert and digitize paper documents into searchable, editable and secure forms.

Smart Faxing - Eliminate costs while securing fax with complete audit trail. Easily integrate with your line of business applications.

· IT Project Management and Consulting Services:

Cloud Services and Disaster Recovery - immediate data backup, storage and retrieval of key documents, email archiving, invoices, compliance paperwork and more.

Cisco Premier Certified Partner, Microsoft Gold Partner, Citrix Gold Solution Provider

- Assist with regulatory compliances such as:

Securing Vital Assets - as a leader in digital security, we offer options that meet or exceed the highest security needs of government and military organizations.

HIPAA, PCI, PII, Ferpa, etc.

-From Desktop to Print shop:

Our award-winning bizHub products speed your output and streamline your workflow with multifunctional productivity — printing, copying, and scanning with simple on-screen control, seamless software integration and all the options you need for right-size scalability in any business or professional application.

***-Protecting the Environment*:**

Industry leader in protecting our planet. We offer a cost-free recycling program for consumables including toner cartridges, imaging units, waste toner bottles, developer units and drums. In addition, Konica Minolta has partnered with the EPA to assure our products meet the high standards of the ENERGY STAR Program.

Prepared by: Rebecca A. Tippy, Konica Minolta Business Solutions, Inc. 561-568-8381, rtippy@kmbs.konicaminolta.us State of Florida Contract 140597-44000000-NASPO-19-ACS

Customer Service & Awards

- **Original Equipment Manufacturer (OEM) -** Our history of manufacturing imaging systems assures you of complete functional and technical support for every product we build. We offer our customers complete solutions for document creation, production, and management, ranging from small office/home office needs, to workgroups and enterprises, in addition to large production operations.

- **Sales & Service Network-** Provides end-users a branch presence in many of the largest metropolitan areas as well as many secondary markets throughout the United States. In addition, we have over 400 authorized & factory-trained dealer partners in our network.

- **National Customer Support Center (NCSC) -** Provides end-users a nationwide toll-free number & a secure interactive website to initiate service calls and order supplies 24 hours a day, 365 days a year.

- **MyKMBS.com Web-based Management Tool-** Provides end-users 24/7 – 365 access to place service calls, order supplies, submit meter reads, and monitor service performance & export fleet management reports.

- **Brand Keys Award 2022-** Konica Minolta awarded First Place in the 2022 Brand Keys Customer Loyalty Engagement Index for MFP Office Copiers, based upon the company's ability to engage consumers and create loyal customers when measured against the "ideal" office copier. This is our *15th* year at the top.

- **Customer Confidence Guarantee-** Certifies to end-users that we'll repair their systems for the duration of the maintenance agreement & replace any defective system with a comparable one at no charge.

- **Managed Print Services-** Konica Minolta's Optimized Print Services program offers the most complete solution by including all areas of managed print services (assessment, analysis, automated meter reads, automated service & supply notifications, and print optimization). Konica Minolta's OPS has the ability to support HP and Lexmark printer equipment, and our branch technicians are fully trained to service these printers.

- **Comprehensive Product Training-** CSR's & Applications Specialists' resources provide end-users ongoing support to ensure that they're proficient with their equipment and able to optimize their productivity.

- **Assigned Account Team-** Provides an account dedicated team of subject-matter experts to consult, recommend, implement & consistently administrate your fleet of equipment.

- **Business Reviews-** Ongoing communication meetings to review service performance, administrative performance, emerging prints strategies and chart the course for continuous improvement.

- **Brand Keys Award March -** Konica Minolta awarded First Place in the 2013 Brand Keys Customer Loyalty Engagement Index for MFP Office Copiers, based upon the company's ability to engage consumers and create loyal customers when measured against the "ideal" office copier. This is our *fifth* year at the top.

- **Better Buys for Business Editor's Choice**

- **Buyer's Laboratory Incl Product Line of the Year i Serie**







Service Call Procedure

Konica Minolta National Customer Support Center

Konica Minolta utilizes two centralized, service dispatch operations, collectively known as the Konica Minolta National Customer Support Center (NCSC). The NCSC operation centers are located in Ramsey, New Jersey and Tempe, Arizona, and manage all equipment service reporting and follow-up. To effectively meet our customers' needs, these centers are staffed 24 hours a day, 365 days per year, with trained customer support professionals. In addition to toll-free number access, the NCSC accepts service notifications via the Internet, at MyKMBS.com. For equipment on our Optimized Print Service program, the service alerts sent by opt-Monitor, are also directed to the NCSC. They have the capability to handle voice calls in English, French, and Spanish, as well as TTY capabilities for the hearing impaired.

Reliable, Centralized Service Dispatch Systems



Users can initiate a service call either through the dedicated toll-free hotline, or www.MyKMBS.com, our interactive fleet management site, from anywhere at any time. When a service call is placed, by the Key Operator, Helpdesk, or other representative, or routed to the NCSC via opt-Monitor, our dedicated Customer Support personnel will obtain all related issues and data in a courteous and organized manner, and effectively convey the information to our Authorized Technicians. During normal business hours, the request is immediately forwarded to a branch service technician, via his cellular telephone and wireless laptop service management application. If the request is received after normal business hours, the technician will be alerted the next business day. Within 1 hour of receipt of the alert, a factory trained and certified Konica Minolta technician will contact the requestor and provide phone support to diagnose, troubleshoot and, in many cases, resolve the service issue. Should the technician determine that an on-site call is necessary, they will confirm the details back to the NCSC and self-dispatch to the client location.

Guaranteed Service Standards

The Konica Minolta service program includes a variety of provisions designed to optimize the availability of your Konica Minolta equipment. These service guarantees are based around the corporate service standard of a minimum 95% average fleet uptime. For MFP devices requiring service at customer locations served by a Konica Minolta branch, or that are within 50 miles of an authorized dealer, the technician will arrive onsite in an average of four (4) hours. Remote locations outside this radius will be responded to, on-site, within an average of six (6) hours from call placement. Printers requiring onsite service will be responded to next day.

Upon arrival, the technician will utilize their own “trunk stock” of inventory, which consists of most common replacement parts, to perform the required service, including preventative maintenance, and upon completion, the technician “closes” the call in our SAP system, which gathers details regarding the call, including response time, machine volume and service issue for future reporting.

Prepared by: Rebecca A. Tippy, Konica Minolta Business Solutions, Inc. 561-568-8381,
rtippy@kmbs.konicaminolta.us State of Florida Contract 140597-44000000-NASPO-19-ACS

bizhub C550i/450i

The i-Series houses a powerful engine, a quad-core central processing unit with standard 8 GB of memory and 256 GB SSD, which allows for quick-response, high-performance operations. With an additional combination of full-speed media printing range, high-speed single pass dual scan doc feeder as well as finishing options, digital skew correction, and large capability trays, expertly blends reliable functionality with versatile serviceability.

High resolution color print/copy up to 55 ppm(C550i)/Full Color &Black and white, and 45ppm (450i)Black & White

Mobile print support with access point capability

Standard dual scanning up to 280 opm

Maximum paper capacity of 6,650 sheets

Shown with Large Capacity Side Tray and Saddle Stitch/Tri Fold Finisher



Prepared by: Rebecca A. Tippy, Konica Minolta Business Solutions, Inc. 561-568-8381, rtippy@kmbs.konicaminolta.us State of Florida Contract 140597-44000000-NASPO-19-ACS

Replacing BHC224 Serial Number A5C4011007547

BHC550i BW & Color Copier/Printer/ Color Scanner

Configuration:	**60 Mo. Lease**
BHC550i Copies/Print/Scan: 55 PPM BW & 55 PPM Full Color	**$113.24**
• **Up to 280 OPM Scanning-STD. Dual Color Scanning**	
• 24 Degrees to 90 Degrees Tilt 10" Tablet Style Touch Pad	
• **Downloadable Apps, Pop Up Command Windows, Customized Icons**	
• 300 Sheet Dual Single Pass Scan Document Feeder (280 IPM)	**Inc.**
• 1800 x 600 Printing Resolution, Account Tracking (1,000 codes)	
• Unlimited Automatic Duplexing (up to 79.75 LB Bond)	
• 2 Paper Cassettes (550/550) User Adjustable (up to 140lb Index)	**Inc.**
• **PC-116 Additional 550 Sheet Paper Drawer**	**$5.34**
• **LU-302 Large Capacity Paper Unit (side unit)**	**$10.46**
• **SF-539 50** Sheet Six Position Finisher/Stapler 250/3,000 sheets /manual stapler	**$9.37**
• **PK-524- 2/3 Hole Punch Kit**	**$3.33**
• **RU-513 Relay Unit for FS-540**	**$1.34**
• **FX-514 Super G3 Fax Kit (send and receive desktop, receive email)**	**$6.24**
• 150- Sheet Intelligent Bypass Tray up to 79.75 LB Bond	
• Scan-to & Print-From USB Thumb Drive *(Selected USB Drives – Max 2GB in Size)*	**Inc.**
• 1.6GHz Quad Core Processor, 8GB of Copier Memory/250GB Hard Drive	**Inc.**
• Embedded Emperon Print Controller –PCL5e/c, PCL6, XL version 3.0). Post Script 3 (Version 3016 Emulation, XPS (XML Paper Specification), PCL, 80 Roman Fonts, Post Script 3 Emulation, 137 Roman Fonts	
• ***Scan-To: E-mail, Scan to HDD, (User Box) Scan to me, Scan to home, Scan to SMP-Desktop, Scan to USB, Scan to Web Dav, Distributed Scan Mgmt. Network Twain, WS-Scan, Color Internet Fax***	
• **Plan_it green Free of Charge recycling program for all consumables**	
• ***ISO 15408 EAL 3 Security Standard including:*** *Built in HDD Data Encryption with password to protect in case of HDD removal, HDD Data Overwrite of Ram, Temporary Data Overwrite of Ram (these features to be activated by your IT Dept Unless you opt for BH Secure)*	
Total Monthly Lease Equipment	**$149.32**
Purchase Price	**$6757.00**

Prepared by: Rebecca A. Tippy, Konica Minolta Business Solutions, Inc. 561-568-8381, rtippy@kmbs.konicaminolta.us State of Florida Contract 140597-44000000-NASPO-19-ACS

Optional:

	60 Mo. Lease	Purchase
• **BH Secure Includes**	**$5.53**	**$250.00**

Change Administrative Password

Enable Hard drive Encryption

Timed Automatic Overwrite of a file in an electronic folder (b0x)

Automatic Overwrite of Temporary Image Data

Hard Drive Lock Password

Timed Automatic Deletion of a File in an Electronic Folder

• **LK-110** V2 I-OPTION OOXML ENHANCED PDF	**$7.29**	**$330.00**

The LK-110 Feature Option allows for the following Advanced Scanning features:

DOCX/XLSX conversion-Allows you to convert the scanned original data to an OOXML (DOCX or XLSX) file and send or save it. If necessary, you can paste transparent text data into a file and create a searchable OOXML file. (Word and Excel)

This function automatically creates text information from scanned images using OCR character recognition technology.

Searchable PDF- Allows you to paste transparent text data into a PDF file when converting scanned original data into PDF files, and create a searchable PDF file. This function automatically creates text information from scanned images using OCR character recognition technology.

Encrypted PDF- Creating an Encrypted PDF File Using the Digital Certificate
PDF-A-Creating a PDF for long Document Storage
PDF Document Properties-Configuring PDF Properties
PDF Web Optimization- Creating a PDF File Optimized for Web View

Please note that since the LK-110 shares the memory with the multifunctional devise, it is not meant for large scan jobs. It is best to limit the number of pages to fewer than 10. For conversion of larger scan jobs, we recommend a server based advanced scanning software such as Konica Minolta's Dispatcher.

Service Plan *for C550i*:

Zero Base Service and Supply Pricing

All copies billed @ ***$ .00495 B&W***

$.04027 Color

- Includes all Parts, & Consumable Supplies (Drums, Toner, Developer, **Staples**)
- All Service Calls & Preventative Maintenance
- Delivery, Installation, Unlimited Training
- Free Loaner & Maintenance Replacement Warranty
- Printer/Scanner/ Fax Drivers Installation & Training on 3 Desktops & 1 Server per unit Network Cable NOT included
- **Includes Bizhub vCare** *(must be connected to Network)***:** Automated Meter Readings – Low Supply Warnings, Service Calls & Parts Replacement Notifications
- Includes NC HD Sanitation at end of lease * New add on benefit for the new State of Florida Contract
- Customer One Guarantee – Replaces machine with new model <2 years; Like for Like >2 years
- Loaners – Provided when a machine is inoperable for two business days

Additional Optional Maintenance Offering:
Digital Solutions Center –Provides digital support for general office and graphic applications relating to MFP copy, print, and scan functions. $12.00 per month

GAP Service for future upgrade:

*****Covers maintenance after lease expiration until new copier is installed**

CARRY OVER SERVICE	*BHC224 Serial Number A5C4011007547* **Black and White Cost Per Copy: $0.00495** **Color Cost Per Copy: $.04027** ***Billed Monthly**	Billed Monthly

Prepared by: Rebecca A. Tippy, Konica Minolta Business Solutions, Inc. 561-568-8381, rtippy@kmbs.konicaminolta.us State of Florida Contract 140597-44000000-NASPO-19-ACS

Replacing BH368 Serial Number A9HJ011010150

BH450i BW Copier/Printer/ Color Scanner

Configuration:	**60 Mo. Lease**
BH450i Copies/Print/Scan: 45 PPM BW	**$56.36**
• **Up to 280 OPM Scanning-STD. Dual Color Scanning**	
• 24 Degrees to 90 Degrees Tilt 10" Tablet Style Touch Pad	
• **Downloadable Apps, Pop Up Command Windows, Customized Icons**	
• 300 Sheet Dual Single Pass Scan Document Feeder (280 IPM)	**Inc.**
• 1800 x 600 Printing Resolution, Account Tracking (1,000 codes)	
• Unlimited Automatic Duplexing (up to 79.75 LB Bond)	
• 2 Paper Cassettes (550/550) User Adjustable (up to 140lb Index)	**Inc.**
• **DK-516 Copy Desk**	**$1.35**
• **SF-533 50** Sheet Inner Finisher/Stapler	**$9.90**
• **MK-607 Fan Kit for FS-533**	**$0.39**
• **FX-514 Super G3 Fax Kit (send and receive desktop, receive email)**	**$6.24**
• 150- Sheet Intelligent Bypass Tray up to 79.75 LB Bond	
• Scan-to & Print-From USB Thumb Drive *(Selected USB Drives – Max 2GB in Size)*	**Inc.**
• 1.6GHz Quad Core Processor, 8GB of Copier Memory/250GB Hard Drive	**Inc.**
• Embedded Emperon Print Controller –PCL5e/c, PCL6, XL version 3.0). Post Script 3 (Version 3016 Emulation, XPS (XML Paper Specification), PCL, 80 Roman Fonts, Post Script 3 Emulation, 137 Roman Fonts	
• ***Scan-To: E-mail, Scan to HDD, (User Box) Scan to me, Scan to home, Scan to SMP-Desktop, Scan to USB, Scan to Web Dav, Distributed Scan Mgmt. Network Twain, WS-Scan, Color Internet Fax***	
• **Plan_it green Free of Charge recycling program for all consumables**	
• ***ISO 15408 EAL 3 Security Standard including:*** *Built in HDD Data Encryption with password to protect in case of HDD removal, HDD Data Overwrite of Ram, Temporary Data Overwrite of Ram (these features to be activated by your IT Dept Unless you opt for BH Secure)*	
Total Monthly Lease Equipment	**$77.57**
Purchase Price	**$3510.00**

Optional:	60 Mo. Lease	Purchase

Prepared by: Rebecca A. Tippy, Konica Minolta Business Solutions, Inc. 561-568-8381, rtippy@kmbs.konicaminolta.us State of Florida Contract 140597-44000000-NASPO-19-ACS

- **BH Secure Includes** **$5.53** **$250.00**

  Change Administrative Password

  Enable Hard drive Encryption

  Timed Automatic Overwrite of a file in an electronic folder (b0x)

  Automatic Overwrite of Temporary Image Data

  Hard Drive Lock Password

  Timed Automatic Deletion of a File in an Electronic Folder

- **LK-110** V2 I-OPTION OOXML ENHANCED PDF **$7.29** **$330.00**

The LK-110 Feature Option allows for the following Advanced Scanning features:

DOCX/XLSX conversion-Allows you to convert the scanned original data to an OOXML (DOCX or XLSX) file and send or save it. If necessary, you can paste transparent text data into a file and create a searchable OOXML file. (Word and Excel)

This function automatically creates text information from scanned images using OCR character recognition technology.

Searchable PDF- Allows you to paste transparent text data into a PDF file when converting scanned original data into PDF files, and create a searchable PDF file. This function automatically creates text information from scanned images using OCR character recognition technology.

Encrypted PDF- Creating an Encrypted PDF File Using the Digital Certificate
PDF-A-Creating a PDF for long Document Storage
PDF Document Properties-Configuring PDF Properties
PDF Web Optimization- Creating a PDF File Optimized for Web View
Please note that since the LK-110 shares the memory with the multifunctional devise, it is not meant for large scan jobs. It is best to limit the number of pages to fewer than 10. For conversion of larger scan jobs, we recommend a server based advanced scanning software such as Konica Minolta's Dispatcher.

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GAP Service for future upgrade:

*****Covers maintenance after lease expiration until new copier is installed**

CARRY OVER SERVICE	*BH368 Serial Number A9HJ011010150* **Black and White Cost Per Copy: $0.0046** ***Billed Monthly**	Billed Monthly

Prepared by: Rebecca A. Tippy, Konica Minolta Business Solutions, Inc. 561-568-8381, rtippy@kmbs.konicaminolta.us State of Florida Contract 140597-44000000-NASPO-19-ACS

Customer One Guarantee

We are so confident in the quality of our products that we guarantee your Konica Minolta MFP will (1) meet factory specifications and (2) be compatible with your network, or we'll replace it with an equivalent model:

- **First two years:** brand new MFP replacement
- **After two years:** new or refurbished replacement

KONICA MINOLTA
CUSTOMER ONE GUARANTEE

Konica Minolta will maintain the equipment covered by this guarantee in good operating condition and necessary maintenance, service and repairs as specified by the terms of the written maintenance agreement. Should a workgroup unit be out of service, due to maintenance needs, for more than 16 consecutive business hours, or if a production print unit is out of service for more than 24 business hours, Konica Minolta shall provide a loaner unit of similar capabilities upon your request. Any unit that Konica Minolta determines cannot be properly repaired to manufacturer's specifications will be eligible for a replacement unit of substantially similar or greater capabilities, at no additional charge.

The best customer experience is one that avoids problems altogether which is why we've established remote monitoring and a rapid response process in conjunction with your local sales representative.

- Our Solutions & Support team will proactively monitor our installed MFP's performance, looking to identify potential issues before they become problems for our customers.
- Should a problem arise, our technical support, local service manager and advanced diagnostics team members are all empowered to authorize a replacement, allowing for a fast and easy resolution.



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IMPORTANT

New Ordering Procedures – Please process as follows:

Konica Minolta Business Solutions U.S.A, Inc.

Prepared by: Rebecca A. Tippy, Konica Minolta Business Solutions, Inc. 561-568-8381,
rtippy@kmbs.konicaminolta.us State of Florida Contract 140597-44000000-NASPO-19-ACS

C/O KMBS Boca
101 Williams Drive
Ramsey NJ 07446
Attn: Rebecca Tippy
Phone: 561-568-8381
Email: rtippy@kmbs.konicaminolta.us

Please include the following information with your Purchase Order:

State of Florida Contract # 140597-44000000-NASPO-19-ACS

- Tax Exempt Certificate
- Product Number (i.e. BizHub c550i/450i)
- Sales Rep Rebecca Tippy 102651
- Quantity of items being ordered
- Description of item-bolded on pricing sheet
- Acquisition Plan with unit prices extended and PO Totaled
- Overage of cost for copies (if applicable)
- Delivery address, contact name and phone number
- Any additional items to be delivered with the copier
- Accessories and appropriate prices (if applicable)
- ***Request for older machine to be picked up (Model & Serial #) at time of delivery of new machines (if applicable)***

Please fax or email copy of PO to the attention of Rebecca Tippy

Email: rtippy@kmbs.konicaminolta.us

Rebecca Tippy of KONICA MINOLTA BUSINESS SOLUTIONS U.S.A., INC.

951 Broken Sound Parkway Ste 340 Boca Raton, FL 33487• Tel: 561-237-4563 • Mobile: 561-568-8381
•www.konicaminolta.us

Thank you!

JOHN TOMPECK
Mayor

DAVID KURZMAN
Vice Mayor

JAMES W. CAMPO, CFP
Commissioner

FRANK FENDER
Commissioner

KAIJA MAYFIELD
Commissioner

TOWN OF SEWALL'S POINT

DAN HUDSON
Interim Town Manager

APRIL STONCIUS, CMC
Town Clerk

TINA CIECHANOWSKI
Chief of Police

JACK REISINGER, CBO
Building Official

HOLLY VATH, CGFO
Finance Director

Regular Town Commission Minutes
July 26, 2022
7:00 p.m.

I. CALL TO ORDER

Mayor Tompeck called the meeting to order at 7:00 p.m.

a. Pledge of Allegiance to the Flag

Mayor Tompeck lead the assembly in the Pledge of Allegiance.

b. Roll Call

The Town Clerk called the roll with the following Commissioners present: Mayor Tompeck, Vice Mayor Kurzman, Commissioner Fender, and Commissioner Mayfield. Commissioner Campo was not present.

II. PROCLAMATIONS AND PRESENTATIONS

There was nothing scheduled under this item.

III. PUBLIC COMMENT ON NON-AGENDA ITEMS- **PLEASE SUBMIT A COMMENT CARD TO THE TOWN CLERK PRIOR TO THE START OF THE MEETING AND LIMIT YOUR COMMENTS TO THREE MINUTES.** *If the thirty (30) minute time period has been exhausted, the Commission will entertain any remaining comments near the end of the meeting with the same three (3) minute per person time limitation.*

There was nothing heard under this item.

IV. ADDITIONS, DELETIONS OR CHANGES TO THE AGENDA

There were no changes to the agenda.

V. APPROVAL OF AGENDA

There being no discussion, Vice Mayor Kurzman **moved** to approve the Agenda. Commissioner Mayfield **seconded** the motion, which **passed unanimously** by roll call vote.

VI. CONSENT AGENDA

a. Financials – June 2022

b. Building Report – June 2022
c. Minutes – May 10, 2022, Regular Meeting, May 17, 2022, Regular Meeting, May 24, 2022 Regular Meeting, June 2, 2022, Special Meeting and June 21, 2022, Regular Meeting.
d. Police Department – Statistics and Activity Report – April - June 2022
e. Witt O'Brien – Disaster Services Contact – Amendment No. 1
f. CAPTEC Engineering, Inc. - Disaster Services Contact – Amendment No. 1

There being no discussion, Vice Mayor Kurzman **moved** to approve the Consent Agenda. Commissioner Fender **seconded** the motion, which **passed unanimously** by roll call vote.

VII. PUBLIC HEARING - ORDINANCE - SECOND READING

There was nothing scheduled under this item.

VIII. PUBLIC HEARING - ORDINANCE - FIRST READING

There was nothing scheduled under this item.

IX. RESOLUTIONS

There was nothing scheduled under this item.

Commissioner Campo arrived at this time at 7:04 p.m.

X. OLD BUSINESS

a. Town Manager Update

The Interim Town Manager stated that Robert Daniels was selected as the next Town Manager and that the contract was provided to the Commission.

There being no discussion, Vice Mayor Kurzman **moved** to approve the Town Manager's contract. Commissioner Fender **seconded** the motion, which **passed unanimously** by roll call vote.

XI. NEW BUSINESS

There was nothing scheduled under this item.

XII. DISCUSSION

a. South River Road Drainage Issues

The Interim Town Manager stated that he had met with the residents and the Town Engineer, in order to try to resolve some of the drainage issues. He recommended

addressing the issue from a multi-pronged approach as follows:

1. Amend the Town code to increase the on-site retention of stormwater to three inches.
2. Seek voluntary cooperation from owners with buildings already under construction.
3. Include $535,000 in the FY-2023 budget and Capital Improvement Plan to address this neighborhood.
4. Encourage voluntary homeowner improvements to facilitate on-site storage.
5. Address property owner associations with their legal responsibilities.
6. Review and amend the Town code to require pervious paving and related hard-surface details.

Vice Mayor Kurzman recommended berms be installed on properties, in order to capture the water on a homeowners' property. He stated that new swales should be constructed deeper and wider, and that those that were filled in should receive an appropriate fine to help restore the swale.

Commissioner Mayfield stated that her priority was the road project, and that there was not a quick fix for the aforementioned issues.

The Interim Town Manager stated that Vice Mayor Kurzman's recommendation of fines for swales that were filled in would be incorporated into Item 6. He said that the Town did not have a dirt fill permit in place in the code, but that it was reviewed as part of the permitting process. The Interim Town Manager advised that another first reading of Ordinance No. 432 would be recommended, as too much time had lapsed between ordinance readings.

b. Preliminary Millage Rate for Fiscal Year 2023

The Interim Town Manager recommended continuing with the operating millage rate of 2.87 mills, as well as the current capital millage rate of .4 mills, for a combined total of 3.27 mills. He stated that the Tentative Budget Hearing would be held on September 7, 2022 at 5:30 p.m. and the Final Budget Hearing would be on September 20, 2022 at 7:00 p.m.

Commissioner Campo concurred and stated that the COLA for employees was important, as inflation was at 9%. He stated that he would be out of town during the Final Budget Hearing on September 20, 2022. The Interim Town Manager stated that employee retention was essential, and suggested a revision to the retirement vesting schedule as well as changes in the Human Resources manual. He said that in reference to the COLA, he recommended 8%, with 4% across the board and 4% as a merit increase based upon evaluations. Vice Mayor Kurzman stated that employee retention was important and that he valued the employees that were currently employed.

There being no further discussion, Commissioner Campo **moved** to accept the Interim Town Manager's recommendation of an Operating Millage of 2.87 and Capital Millage rate of .4 mills for a combined millage rate of 3.27 mills, as well as to approve the budget schedule of the Workshop on August 9, the Tentative Budget Hearing on September 7, and the Final Budget Hearing on September 20, 2022. Commissioner Fender **seconded** the motion,

which **passed unanimously** by roll call vote.

c. Project Status Report

The Interim Town Manager reviewed the following list of projects:

- Office building septic to sewer conversion
- South Sewall's Point Road Phase 3
- Reilly property – 78 S. Sewall's Point Road
- Dock Roof ordinance – Part 2
- Comprehensive Plan Update
- 7 Heritage property sale
- 5-Year CIP Capital Improvement Program
- Septic to Sewer for South Sewall's Point
- West statue & donation
- Grants in progress

d. Sale of 7 Heritage Way Lot

Mayor Tompeck stated that the Commission voted (3-2) to sell the property and that it would be rezoned to Residential. He said that he appreciated Commissioner Campo's efforts by showing what could be built on the property with a draft set of plans that would not damage the existing tree, along with a deed restriction to preserve the tree.

Commissioner Campo stated that the Number One Capital Improvement Project was South Sewall's Point Road. He pointed out that the Town needed to acquire land for STA's (stormwater retention areas) and that selling the lot would provide the appropriate funding to attain them. Commissioner Mayfield commended Commissioner Campo's effort to find a solution in order to move forward, and agreed with the deed restriction for the tree. Commissioner Fender stated that he was weighing all of the options at this time. It was the **consensus** of the Commission to have Commissioner Campo return with an updated rendering of a house floor plan.

XIII. COMMISSION AND STAFF CLOSING COMMENTS

a. STAFF

The Interim Town Manager requested that the Commission attend a 4:30 p.m. meeting on August 9, 2022 to discuss union negotiations, and that the second meeting in August was moved to the 24th to allow for election voting in the Town Commission Chambers.

The Interim Town Manager stated that a cell phone tower would be erected on the west side of South River Road and A1A in the D.O.T. right-of-way. Commissioner Fender inquired as to if there was a tax benefit to the Town, to which the Interim Town Manager responded that the Town received a communications fee that was included in cellular phone bills.

Commissioner Campo requested that the information be posted on the Town's Facebook Page, in order to notify the residents accordingly. Vice Mayor Kurzman stated that the residents needed to be aware that the tower was being established by the Division of Transportation due to complaints of poor service.

The Interim Town Manager said that Chief Ciechanowski secured a grant in the amount of $3,700 for the reimbursement of safety equipment in the Police Department.

b. COMMISSIONERS

Commissioner Campo thanked Dan Hudson for doing a spectacular job as Interim Town Manager, and stated that it was an honor to work with him. He said that his dedication to the Town was admirable during the town manager hiring process. Mayor Tompeck concurred. Vice Mayor Kurzman echoed Commissioner Campo's sentiments, and suggested a transition period for the town manager position with some overlapping, in order for the Town to run efficiently. Mr. Hudson stated that he was happy to work out a transition plan, and suggested services on a consulting basis.

Commissioner Mayfield thanked Mr. Hudson and confirmed that he would attend the August 9, 2022 meeting that pertained to the budget. Mr. Hudson replied in the affirmative. Commissioner Fender agreed and stated that the best compliment one could receive was from the residents. Mayor Tompeck stated that he appreciated what Mr. Hudson had done for the Town over the last six months.

Mayor Tompeck stated that performance measures for the new Town Manager needed to be created and requested that the Commission bring back suggestions at a future meeting.

Robert Daniels thanked the Commission for the show of confidence and stated that he appreciated Mr. Hudson being available as issue arose. He agreed with the performance measures, and was looking forward to beginning strategic planning.

IVX. ADJOURN

There being no further business, the meeting adjourned at 8:00 p.m.

APPROVED:

_____
Mayor John Tompeck, Presiding Officer

ATTEST:

_____
April C. Stoncius, CMC, Town Clerk

Minutes approved at the meeting of: September 13, 2022

JOHN TOMPECK
Mayor

DAVID KURZMAN
Vice Mayor

JAMES W. CAMPO, CFP
Commissioner

FRANK FENDER
Commissioner

KAIJA MAYFIELD
Commissioner

TOWN OF SEWALL'S POINT

ROBERT DANIELS
Town Manager

APRIL C. STONCIUS, CMC
Town Clerk

TINA CIECHANOWSKI
Chief of Police

JACK REISINGER, CBO
Building Official

HOLLY VATH, CGFO
Finance Director

TO: Mayor and Commissioners

FROM: Robert Daniels, Town Manager

SUBJECT: Rezoning from PS-1(Public Services) to R-1 (Residential)

DATE: Regular Commission Meeting – September 13, 2022

EXECUTIVE SUMMARY:

The Town Commission has discussed the potential sale of the town-owned property at 7 Heritage Way. The sale of public lands requires a rezoning from PS-1(Public Services) to R-1 (Residential), and came before the Local Planning Agency (LPA). Notices of this rezoning were sent to all property owners on Heritage Way as a courtesy. The Town has also requested a deed restriction be added requiring the existing oak trees to be kept on the property. The deed restriction language would be included in the contract for sale.

RECOMMENDATION:

The Town staff recommends approval of rezoning 7 Heritage Way from PS-1(Public Services) to R-1 (Residential), with the deed restriction requiring that the existing oak trees be kept on the property and maintained.

ORDINANCE NO. 443

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA CHANGING THE ZONING CLASSIFICATION OF PROPERTY LOCATED AT 7 HERITAGE WAY, SEWALL'S POINT, FLORIDA, FROM PS-1, PUBLIC SERVICES TO R-1, RESIDENTIAL; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; APPROVING AMENDMENT TO THE ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Town of Sewall's Point, Florida ("Town"), is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statues; and

WHEREAS, the Town Commission, pursuant to the authority granted in Chapters 163 and 166, Florida Statutes, and the Land Development Regulations, as adopted by the Town of Sewall's Point, is authorized and empowered to consider amending the Town's Official Zoning Map; and

WHEREAS, this is a Town-initiated rezoning wherein the owner of the Property, the Town of Sewall's Point desires the property located at 7 Heritage Way, Sewall's Point, identified as Lot 5, Heritage Place, as recorded in Plat Book 10, Page 2 in the Public Records of Martin County, Florida, Parcel Identification No. 01-38-41-013-000-0005.0-60000, to be rezoned from Public Service District (PS-1) to R-1 Residential to allow the use of the property for residential purposes consistent with surrounding properties; and

WHEREAS, the Town has received public input and participation through hearings before the Local Planning Agency and the Town Commission in accordance with Section 163.3181, Florida Statutes; and

WHEREAS, the Local Planning Agency of the Town of Sewall's Point has found this rezoning to be consistent with the Comprehensive Plan and has recommended that the Commission approve the proposed rezoning of the Property; and

WHEREAS, the Town Commission has determined that it is in the best interest of the Town of Sewall's Point to approve the R-1 Residential rezoning of the Property.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA THAT:

Section 1. The foregoing recitals are hereby fully incorporated herein by reference as legislative findings of the Town Commission of the Town of Sewall's Point.

Section 2. The Property identified as Lot 5, Heritage Place, as recorded in Plat Book 10, Page 2 in the Public Records of Martin County, Florida, Parcel Identification No. 01-38-41-013-000-0005.0-60000, owned by the Town of Sewall's Point, Florida, and located within the corporate limits of the Town of Sewall's Point, is hereby zoned as R-1 Residential.

Section 3. The Town Commission hereby expressly finds that the provisions of this ordinance are in conformity with the Comprehensive Plan of the Town of Sewall's Point.

Section 4. The Commission hereby approves an amendment to the Town of Sewall's Point's Zoning Map to reflect this rezoning of the Property and directs that the Zoning Map be so amended.

Section 5. Should any section or provision of this ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this ordinance.

Section 6. All ordinances or parts of ordinances in conflict be and the same are hereby repealed.

Section 7. This ordinance shall take effect immediately upon adoption.

_____ offered the Ordinance for its first reading and moved its adoption. The motion was seconded by _____, and upon being put to a vote, the vote was:

	AYE	NAY
JOHN TOMPECK, MAYOR	____	____
DAVE KURZMAN, VICE MAYOR	____	____
JAMES W. CAMPO, COMMISSIONER	____	____
FRANK FENDER, COMMISSIONER	____	____
KAIJA MAYFIELD, COMMISSIONER	____	____

Passed first reading at the Regular Meeting of the Town Commission held on the ___ day of _____, 2022.

_____ offered the Ordinance for its second reading and moved its adoption. The motion was seconded by _____, and upon being put to a vote, the vote was:

	AYE	NAY
JOHN TOMPECK, MAYOR	____	____
DAVID KURZMAN, VICE MAYOR	____	____
JAMES W. CAMPO, COMMISSIONER	____	____
FRANK FENDER, COMMISSIONER	____	____
KAIJA MAYFIELD, COMMISSIONER	____	____

Passed second reading at the Regular Meeting of the Town Commission held on the __ day of _____, 2022. The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission on this ____ day of _____, 2022.

TOWN OF SEWALL'S POINT, FLORIDA

_____
John Tompeck, Mayor

ATTEST:

_____
April C. Stoncius, Town Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

(Seal)

_____
Glen J. Torcivia, City Attorney

TOWN OF SEWALL'S POINT

TO: Mayor and Commissioners
FROM: Robert Daniels, Town Manager
SUBJECT: Alternative Compliance for Boat Lift Covers
DATE: Commission Meeting September 13, 2022

EXECUTIVE SUMMARY: This item is the first reading of Ordinance 444 which provides standards and a procedure for permitting a boat lift cover to be built higher than the adjoining riparian upland, which is presently prohibited in the Town Code.

RECOMMENDATION: Review the draft language, recommend any changes, and schedule the Second Reading of the Ordinance to update Chapter 62 – Marine Structures of the Land Development Regulations.

The Town Code includes standards for marine structures (docks and dock roofs). Town staff identified that these standards, on a practical basis, prohibit dock roofs for proprieties on the eastern side of the Town. Specifically, the height may not be a be higher than its adjoining upland property. These eastern properties are low or near sea level, therefore excluding them from the ability to obtain a permit for a dock roof. The Town Building Official has prepared two graphics which illustrate this issue.

The Town began studying this question last fall in response to a resident request. After numerous discussions regarding overall design (height, size, and color) and concerns about possible seagrass impacts, the Town Commission recommended staff develop some guidelines for the process which would be more equitable for all property owners in the Town. This process would include standards and design guidelines for permitting dock roofs which exceed the height limit, within certain limitations.

Staff developed draft language for the Land Development Regulations which creates a process for property owners, who due to the site limitations, cannot comply with the height requirement. This Alternative Compliance process includes design standards that must be met in order to gain approval from the Board of Adjustments. The strikethrough and underline of this section of code is provided in the Ordinance.

Staff presented the draft language to the Local Planning Agency (LPA) just prior to this meeting on September 13, 2022. The LPA provided a recommendation to the Commission.

ORDINANCE NO. 444

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, AMENDING CHAPTER 62 MARINE ACTIVITIES, FACILITIES AND STRUCTURES, ARTICLE III MARINE STRUCTURES, DIVISION 2 MARINE STRUCTURE REGULATIONS, SUBDIVISION I IN GENERAL, SECTION 62-132 DEFINITIONS; SUBDIVISION II PERMIT, SECTION 62-151 PERMIT REQUIREMENTS; NONCONFORMING USE; SUBDIVISION III TECHNICAL REQUIREMENTS AND STANDARDS, SECTION 62-175 ROOFS AND SECTION 62-176 VARIANCES TO AUTHORIZE THE BOARD OF ZONING ADJUSTMENT TO CONSIDER ALTERNATIVE COMPLIANCE APPLICATIONS FOR BOAT LIFT COVERS, AND FOR OTHER PURPOSES; PROVIDING FOR SEVERABILITY, THE REPEAL OF ALL CONFLICTING ORDINANCES, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the Town of Sewall's Point, Florida is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town of Sewall's Point, located on a peninsula surrounded by water to the north, south and west, is known for its many waterfront homes and often called a boaters' paradise; and

WHEREAS, for many Sewall's Point residents, the availability of dock facilities, including boat lift covers, plays an important role in the use, enjoyment, protection and value of their property; and

WHEREAS, the Town has established regulations regarding the construction of docks in Chapter 62 "Marine Activities, Facilities and Structures,"

including necessary minimum construction regulations to better protect the environment, abutting riparian property owners' rights, and the Town; and

WHEREAS, unless properly regulated, dock structures, including boat lift covers, may have negative impacts on the marine environment, including critical seagrass beds; and

WHEREAS, unless properly regulated, boat lift covers may also detract from neighboring property owners' use and enjoyment of their property by obstructing and/or cluttering the view; and

WHEREAS, the reasonable regulation of the size, location and appearance of boat lift covers serves to protect against harmful environmental and aesthetic impacts while allowing the reasonable use and enjoyment of property; and

WHEREAS, under the Town's current regulations, otherwise lawfully permitted docks located in certain areas are ineligible for approved boat lift covers due to the elevation of the dock relative to the grade of the land; and

WHEREAS, the Town Commission desires to amend Chapter 62 to provide an alternative compliance method for approving boat lift covers, for locations that cannot meet the current height limitations, subject to additional design and appearance restrictions; and

WHEREAS, the Town Commission finds that the proposed amendments further the public health, safety and general welfare of the residents and citizens of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA THAT:

Section 1. The foregoing recitals are hereby fully incorporated herein by reference as legislative findings of the Town Commission of the Town of Sewall's Point.

Section 2. Chapter 62, Marine Activities, Facilities And Structures, Article III, Marine Structures, Division 2, Marine Structure Regulations, Subdivision I, In General, Section 62-132, Definitions, is hereby amended by adding definitions for the terms "boat lift" and "boat lift cover" as follows(deletions are shown by overstrike; additions are underlined):

Boat lift means an in-water structure used for the dry berthing of a boat above the water level and lowering the boat into the water.

Boat lift cover means a raised covering attached to a dock or boat lift for the purpose of protecting the boat from the elements. As used in this Chapter, the term "boat lift cover" may refer to either a fixed permanent structure or an aluminum, PVC, galvanized or similar frame to which is attached a removable canvas or vinyl canopy.

Section 3. The definition of "dock permit" set forth in Chapter 62, Marine Activities, Facilities And Structures, Article III, Marine Structures, Division 2, Marine Structure Regulations, Subdivision I, In General, Section 62-132, Definitions, is hereby amended as follows (deletions are shown by ~~overstrike~~; additions are underlined):

Dock permit means, collectively or individually, the permit required by any of the agencies or the town for a person to construct, add to, or structurally repair or alter a dock or a ~~roof over a dock~~ boat lift cover within the jurisdictional limits of the town.

Section 4. Chapter 62 Marine Activities, Facilities And Structures, Article III, Marine Structures, Division 2, Marine Structure Regulations, Subdivision Subdivision II, Permit, Section 62-151, Permit Requirements: Subsection (c)(1), Nonconforming Use, Generally, is hereby amended as follows(deletions are shown by ~~overstrike~~; additions are underlined):

(c) *Nonconforming use.*

(1) *Generally.* Subject to all permit requirements, notwithstanding any contrary provision of this Code, a nonconforming dock or ~~dock roof~~ boat lift cover or other nonconforming marine structure may be rebuilt or repaired to its previously permitted size and configuration, notwithstanding any deterioration or damage from any cause, including fire, hurricane, flood or collision.

Section 5. Chapter 62 Marine Activities, Facilities And Structures, Article III, Marine Structures, Division 2, Marine Structure Regulations, Subdivision Subdivision III, Technical Requirements and Standards, Section 62-175, Roofs, is hereby amended as follows (deletions are shown by ~~overstrike~~; additions are underlined):

Sec. 62-175. – ~~Roofs~~ Boat lift covers.

The applicant must submit plans for a proposed ~~roof~~ boat lift cover to be constructed as part of an existing or proposed dock to the building department for approval. The following conditions must be met:

(a) The plans shall indicate that the height of the ~~roof~~ boat lift cover shall not exceed the finished grade of the upland riparian property to which the dock is appurtenant; however, in no event shall the height of the ~~roof~~ boat lift cover exceed 15 feet measured from the terminal platform of the dock to which the ~~roof~~ boat lift cover is appurtenant.

(b) The plans shall be engineered so that the ~~roof~~ boat lift cover will be constructed of materials and in a manner that will, in all probability, withstand winds of ~~160~~ 170 miles per hour as specified by the Florida Building Code.

(c) All ~~dock roofs~~ boat lift covers shall be a pitched, hip or gable design~~,~~ except those approved for Alternative Compliance under sec. 62-176.

Section 6. Chapter 62 Marine Activities, Facilities And Structures, Article III, Marine Structures, Division 2, Marine Structure Regulations, Subdivision III, Technical Requirements and Standards, Section 62-176, Variances, is hereby amended as follows (deletions are shown by overstrike; additions are underlined):

Sec. 62-176. - ~~Variances~~ Alternative compliance.

~~The town commission may vary any of the technical requirements and construction standards for marine structures set forth in section 62-~~

~~171 and section 62-172 by the granting of a variance pursuant to the procedures set forth in sections 82-111 through 82-116 of this Code. If the Florida Department of Environmental Protection or other governmental entity has jurisdiction over the subject matter of the variance, the variance shall be contingent upon the approval of all such entities.~~

(a) An applicant may request Alternative Compliance for a building permit to add a boat lift cover to an existing or proposed dock which exceeds the maximum height as set forth in section 62-175(1), when meeting the maximum height requirement is not reasonably possible due to constraints caused by a differential between riparian grade and mean high water level for the affected property. The Board of Zoning Adjustment shall be authorized to consider the request at a quasi-judicial hearing, following procedures substantially similar to those applicable to requests for conditional use permits as provided in sections 82-126 and 82-128. A request for alternative compliance for a boat lift cover may only be approved when the Board of Zoning Adjustment has determined that:

(1) Constraints exist as a result of a differential between the riparian grade and mean high water level which effectively prohibit the construction of a boat lift cover under section 62-175 of this Article, and

(2) The proposed boat lift cover meets all of the following design criteria established in order to minimize visual intrusiveness:

1. The boat lift cover and frame will not significant;y obstruct the water views of surrounding properties.

2. Boat lift cover materials (other than the frame) must be canvas or vinyl.

3. Boat lift covers must be of one, solid subtle color with an emphasis on earth tones, or pale blue or gray hues.

4. Boat lift covers shall be a dome shape and shall not include side curtains.

(b) As an additional condition of any such approval, the Applicant shall be required to remove and store the canopy portion of the boat lift cover within twelve (12) hours of the National Weather Service or National Oceanic and Atmospheric Administration, or other comparable governmental agency issuing a Hurricane Warning for all or any portion of the Town or Martin County. The boat lift cover frame may remain. Failure to remove the boat lift cover canopy within such time period may result in the loss of authorization for alternative compliance, requiring the permanent removal of the boat lift cover and frame.

Section 7. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 8. Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 9. Codification. The sections of the ordinance may be made a part of the Town Code of Laws and ordinances and may be re-numbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "division," or any other appropriate word.

Section 10. Effective Date. This ordinance shall take effect immediately upon adoption.

_____ offered the Ordinance for its first, reading and moved its adoption. The motion was seconded by _____, and upon being put to a vote, the vote was:

	AYE	NAY
JOHN TOMPECK, MAYOR	____	____
DAVE KURZMAN, VICE MAYOR	____	____
JAMES W. CAMPO, COMMISSIONER	____	____
FRANK FENDER, COMMISSIONER	____	____
KAIJA MAYFIELD, COMMISSIONER	____	____

Passed first reading at the Regular Meeting of the Town Commission held on the _____ day of _____, 2022.

_____ offered the Ordinance for its second reading and moved its adoption. The motion was seconded by _____, and upon being put to a vote, the vote was:

	AYE	NAY
JOHN TOMPECK, MAYOR	____	____
DAVE KURZMAN, VICE MAYOR	____	____
JAMES W. CAMPO, COMMISSIONER	____	____
FRANK FENDER, COMMISSIONER	____	____
KAIJA MAYFIELD, COMMISSIONER	____	____

Passed second reading at the Regular Meeting of the Town Commission held on the _____ day of _____, 2022. The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission on this _____ day of _____, 2022.

TOWN OF SEWALL'S POINT, FLORIDA

_____
John Tompeck, Mayor

ATTEST:

_____
April Stoncius, CMC, Town Clerk
(TOWN SEAL)

Approved as to form and legal sufficiency:

_____
Glen J. Torcivia, Town Attorney
Florida Bar No. 343374

TOWN MANAGER PERFORMANCE GOALS

Develop and implement a new communications plan.

Develop a plan for employee retention.

Develop a Safety Plan to assist in a safer working environment.

Negotiate and complete a new collective bargaining agreement with the PBA.

Ensure compliance with laws, ordinances, and policies for the Town Budget.

Develop and maintain a working relationship with local state and federal legislators with face-to-face meetings twice a year.

Have regular meetings with Martin County administrative personnel.

Develop a plan for Septic to Sewer conversion for the Town Commission's consideration.

Manage the development, award, and implementation of grant programs.

Implementation of phase 3 stormwater project.

Conduct annual strategic planning sessions for capital improvement projects and other planning functions.

TOWN OF SEWALL'S POINT

TO: **Mayor and Commissioners**

FROM: **Robert Daniels, Town Manager**

SUBJECT: **Purchase of Land South Sewall's Point Road**

DATE: **Regular Commission Meeting – September 13, 2022**

EXECUTIVE SUMMARY:

On August 31, 2022, the Town Commission approved Town staff to move forward with negotiating the final purchasing terms with the property owner and to research financing availability. Upon researching the Town's financing options with various lenders, the question has been asked the intent of the property once the project is completed. This is important as it determines how the property will be financed. If the intent is to sell the property upon completion, short-term financing would be the appropriate option. If the intent is to keep the property, then a 10-year note may be more feasible.

HISTORY:

The Town had previously sought to purchase a portion of the subject property which negotiations ended unsuccessfully for the Town. Currently, the Town staff was negotiating terms for construction and a permanent easement along the north side of the property for a stormwater retention area for nutrient deduction and outfall line, when the purchase of the entire parcel was mentioned by the owner. There have been two appraisals for the entire partial already completed by the Town and the owner is agreeable to stay within the parameters of the appraisals for the final purchase price.

DISCUSSION:

The Town Commission should discuss the options available for the property once the Middle Sub-basin outfall and Stormwater Treatment Area (STA) have been completed.